

**REMARKS**

In the Office Action dated February 13, 2003, the Examiner rejected claims 1-18 under 35 USC § 102(e) as being anticipated by *Arikawa et al.*

Applicant respectfully traverses the rejection for the following reasons. To anticipate a claim, a single reference must contain all of the elements of the claim. See *Hybritech Inc. v. Monoclonal Antibodies, Inc.*, 802 F.2d 1367, 1379, 231 U.S.P.Q. 81, 90 (Fed. Cir. 1986). Applicant asserts that *Arikawa* does not anticipate Applicant's claimed invention because it does not contain all of the elements of the independent claims. Specifically, *Arikawa* does not teach a transfective element juxtaposed to a transparent element, as required by claims 1, 6, 13 and 18. A dictionary definition of juxtapose states that juxtapose means "to place side by side." (Merriam Webster's Collegiate® Dictionary, 10<sup>th</sup> Edition (Online)) As can be appreciated, when Applicant's label is assembled, the transfective element abuts the transparent element.

In contrast, *Arikawa* only discloses an arrangement in which two polarizers are present, where one polarizer is placed in between and separates the transfective element from the transparent element. *Arikawa* does not contemplate an alternate arrangement where the transfective element abuts the transparent element.

Applicant respectfully requests reconsideration and allowance of the pending claims. If the Examiner feels that a telephone conference would expedite the resolution of this case, he is respectfully requested to contact the undersigned.

In the course of the foregoing discussions, Applicant may have at times referred to claim limitations in shorthand fashion, or may have focused on a particular claim element. This discussion should not be interpreted to mean that the other limitations can be ignored or dismissed. The claims must be viewed as a whole, and each limitation of the claims must be considered when determining the patentability of the claims. Moreover, it should be understood that there may be other distinctions between the claims and the prior art which have yet to be raised, but which may be raised in the future.

**Serial No.:** 09/765,841  
**Filed:** January 18, 2001

If any fees or time extensions are inadvertently omitted or if any fees have been overpaid, please appropriately charge or credit those fees to Hewlett-Packard Company Deposit Account Number 08-2025 and enter any time extension(s) necessary to prevent this case from being abandoned.

Respectfully submitted,



Jonathan M. Harris  
PTO Reg. No. 44,144  
CONLEY ROSE, P.C.  
(713) 238-8000 (Phone)  
(713) 238-8008 (Fax)

ATTORNEY FOR APPLICANT